

Submission to Legislative Council Environment and Planning  
Committee

Inquiry into Community Consultation Practices



14 July 2025



The voice for  
local government

No one understands the challenges and opportunities facing Victoria in the 21st century better than local councils. From rapidly evolving technology to social changes, shifting economies to environmental pressures, our local communities and the governments that represent them—are at the forefront of multiple transformations happening simultaneously.

As the peak body for the Victorian local government sector, the Municipal Association of Victoria (MAV) offers councils a one-stop shop of services and support to help them serve their communities.



## **ACKNOWLEDGEMENT OF COUNTRY**

The MAV acknowledges Aboriginal and Torres Strait Islander people as the traditional custodians of the land, and we offer our respects to their Elders past and present. We advocate for and encourage Victorian councils to strengthen relationships with local Aboriginal communities.

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## Introduction

Thank you for the opportunity to contribute to this important Inquiry into Community Consultation Practices in Victoria.

The Municipal Association of Victoria (MAV) is the peak body for local government in Victoria, representing the interests of all 79 councils and advocating for effective legislative change, policy development, funding and programs to support the sector.

This submission draws upon the experiences of local government and outlines key insights and recommendations in response to the Inquiry's Terms of Reference.

It is structured around the six themes (a) to (f) as set out in the Terms to assist the Committee in understanding the community consultation practices undertaken by local government in Victoria.

Victoria has a unique opportunity to lead the nation in establishing a new benchmark for authentic, inclusive, and accountable community consultation. The MAV and the local government sector stand ready to work in partnership with the Victorian Government and local communities to deliver meaningful engagement outcomes.

We welcome the Committee's Inquiry and strongly support reforms that place communities at the centre of public decision-making.

Effective consultation is fundamental to democratic governance and public trust, particularly in an era of increasing community diversity, digital connectiveness, and rising expectations of greater transparency and accountability.

Community dissatisfaction often stems not solely from disagreement with outcomes, but from deficiencies in the communication and engagement practices that inform those outcomes.

Where consultation is unclear, inaccessible, tokenistic in its timing or design, or unresponsive to community input, communities feel disengaged or unheard. Such shortcomings can erode public confidence in government, public institutions and local authorities. These risks are further compounded in a contemporary information environment underscored by the rapid spread of misinformation and disinformation, which can distort public understanding of the issues.



Community consultation now occurs within an eroded informational context that cannot be ignored.

Mis- and disinformation have become pervasive elements of our social and political contexts. So much so that this has been named the top global risk of the immediate term ([World Economic Forum Global Risk Report, 2025](#)), for its capacity to erode institutional trust, promote social and political polarization, manipulate systems including economic, political and essential services, incite violence and conflict, and hamper critical progress in areas like climate action and ethical use of artificial intelligence and technology. Information integrity is thus a central concern for community consultation at all tiers of government.

The social and political environment within which all community consultation occurs is shaped by manipulated, and misleading, narratives that circulate in increasingly insular information bubbles – often on social media. This means likely higher levels of division and polarisation within the community, where different people are being exposed to entirely different informational ecosystems – shaping divergent local realities.

Lower institutional trust can also impact public perception of legitimacy of community consultation, and impact social licence – the intangible conditions by which community accept initiatives and changes within their midst for the activities of government. Disinformation also increasingly impacts consultations processes themselves, as organised disinformation – and at times conspiracist- campaigns about specific initiatives stifle government ability to progress.

The design of all community consultation must take this informational context into consideration and include appropriate response mechanisms. For guidance, the 2024 [Disinformation in the City Response Playbook](#), created by 40 cross-sector experts globally presents a three phase approach to understand the impact of disinformation on government processes, and offers guidance for community consultation in sequence with other functions of local governance to effectively, and holistically, build community resilience to disinformation.

## **Community consultation practices done by, and on behalf of, state and local government and statutory authorities, and providers of essential services such as utilities, in Victoria – theme (a)**

In Victoria, local government occupies a critical role in engaging communities and fostering participatory democracy. The *Local Government Act 2020* introduced a significant shift from compliance-based regulation to a principles-based framework, designed to improve transparency, deliberative engagement, and public trust in decision-making. This legislative change supports councils to adopt engagement practices that are more inclusive, transparent, and responsive to the needs of diverse communities.

This legislative change has also had an impact on consultation required to be conducted under other statutes, most notably in the fields of land use planning and public health and wellbeing.

## Local Government Act

### A Shift to Principles-Based Community Engagement

At the heart of the Act is the recognition that effective community engagement leads to better long-term outcomes, stronger relationships between councils and their communities, and more informed decision-making. Section 56 of the Act outlines key principles that underpin all council-led engagement, including:

- Clearly defined objectives and scope for engagement processes
- Timely, objective and relevant information to support participation
- Representation of affected individuals and communities
- Support for meaningful and informed engagement
- Transparency about the influence of community input on council decisions

Importantly, councils are required to adopt a Community Engagement Policy that reflects these principles and applies it to the development of key strategic documents such as the Community Vision, Council Plan, Financial Plan, Revenue and Rating Plan, and Asset Plan.

The Act also refers to 'deliberative engagement practices' (s. 55(2)(g)), though it leaves the definition open to allow flexibility. These practices are characterised by authentic, inclusive engagement where diverse community voices are represented, and decisions are transparently informed by community input.

### Integration with Transparency and Governance

Transparency is a foundational element of democratic participation and engagement. Under the Act, public transparency is elevated as an overarching governance principle (s.9(2)(i)), reinforcing the idea that openness, accountability and accessibility must be core features of council activity.

Section 58 sets out specific public transparency principles that require councils to:

- Conduct decision-making in an open and transparent way, unless confidentiality is clearly justified
- Make council information publicly available, unless restricted by law or the public interest
- Ensure information is understandable and accessible to the municipal community
- Facilitate public awareness of available council information

Councils are required to adopt a Public Transparency Policy that gives effect to these principles, moving beyond prior compliance-focused disclosure to an approach that enables active, informed community participation. For example, council information should not only be available but accessible and meaningful to the public. This includes using plain language, multilingual content, inclusive formats (e.g. Easy English, audio), and appropriate communication channels to reach a broad cross-section of the community.

This intersection between community engagement and transparency is central to the Act's intent: transparency enables engagement, and engagement enhances trust and accountability. Councils are expected to consider these principles in all areas of operation, including strategic planning, service delivery, and policy development.

### Moving Beyond Compliance

The Act's deliberate shift away from prescriptive rules - such as specific meeting notice requirements or fixed inspection locations seeks to avoid a "tick-the-box" culture that can lead to disengagement or administrative avoidance. Instead, councils must be proactive in how they design engagement processes and disclose information, using judgement and local knowledge to meet the needs of their communities.

For example, under the previous legislative regime, many matters were automatically deemed confidential. The 2020 Act now operates on the presumption of openness, with only limited exceptions for confidentiality such as personal information or content that may cause harm if disclosed. The Act aligns with the spirit of Victoria's Freedom of Information Act 1982, which guarantees a general right to access information, reinforcing the expectation that public business should be conducted in public wherever possible.

### Opportunities and Challenges in Practice

While the principles of the Act are clear and well-aligned with best practice, implementation varies across councils, often depending on resource levels, staff capability, and the complexity of local issues.

The following opportunities have been identified by the MAV:

- Councils have embedded deliberative practices into local decision-making and are building skills in house
- Increased public trust and legitimacy in council decisions through greater transparency
- Technology provides tools for broader and more flexible participation, including digital platforms, hybrid meetings, and online community panels

The following challenges have been identified by the MAV:

- Digital exclusion for some community members (e.g. older residents, culturally diverse communities, people with disability)
- Limited resourcing, particularly in rural and regional councils, to facilitate best-practice consultation and transparent reporting
- 79 concurrent council plan engagement processes places pressure on external providers of deliberative engagement services
- Rapidly developing technologies and online information pollution impacting community consultation.

### Recommendation 1

To strengthen and support local government community engagement, the following measures are recommended:

- The Victorian Government provide funding to the MAV for the establishment of a MAV Centre of Excellence for Engagement Practice to rebuild and grow local government sector in-house engagement capacity through the provision of training, tools, communities of practice, and peer learning. This includes supporting career pathways in engagement roles and providing access to skill development in areas such as cultural safety, facilitation, co-design, and evaluation

This approach recognises that local government has both the mandate and opportunity to lead in community engagement in Victoria. Strengthening systems, capabilities, and consistency across the sector will improve democratic participation and ensure that decisions are better aligned with the experience, values, and priorities of Victorian communities.

### Statutory timelines

A particular challenge with the statutory framework is the sequence of deadlines for various statutory documents that must be adopted by the Council within the period after each general election:

<u>Statutory document</u>	<u>Subject to 'deliberative engagement practices'?</u>	<u>Section of Act</u>	<u>Deadline</u>	<u>Effective</u>
			<u>(in year after election)</u>	
Council Plan	Yes	90	31 October	1 July (past)
Financial Plan	Yes	91	31 October	1 July (past)
Asset Plan	Yes	92	31 October	1 July (past)
Revenue and Rating Plan	No	93	30 June	1 July (future)
Budget	No	94	30 June	1 July (future)



In practice, most councils must take the full time available to complete the Council Plan, Financial Plan and Asset Plan, in order to avoid unsatisfactory deliberative engagement practices, meaning that these three plans are almost always adopted after the four-year Rating and Revenue Plan and the first of the council term's four annual Budgets.

While this gives effect to the deliberative engagement practices, it gives rise to misalignment. The statutory timeline enables the adoption of the strategy for revenue before the adoption of the financial plan that quantifies the operational and capital commitments for which revenue will be required. It also means that the deliberative engagement-led Council Plan only has real effect for the second, third and fourth budgets of the council term, as the first is adopted prior to the completion of the overarching plan. The risks of misalignment are just as strong in larger councils (due to the complexity of the organisations) as in smaller councils (due to resource constraints).

The Directions Paper for the Local Government Bill that informed the 2020 Act proposed that councils prepare and adopt the Council Plan by 31 December in the year after the election. The MAV [recommended](#) that this be brought forward to 30 June in the interests of aligning councils' key strategic documents such that the highest level document (the Council Plan) is adopted no later than subsidiary documents (especially the first annual Budget). The MAV also recommended that the Financial Plan, Asset Plan and Revenue and Rating Plan be required to be adopted by 30 June in the *second* year after the election, to ensure enough time to do this well, while providing a logical sequence. The Bill introduced to Parliament resulting in the 2020 Act opted for a compromise deadline of 31 October for the Council Plan, Asset Plan and Financial Plan, but of course this compromise failed to understand or address the concerns of the local government sector about the sequencing of decisions and the administrative burden involved in concurrent and cascading consultation programs.

The value of these documents is not disputed. They are essential to guide the work and priorities of councils. However, the statutory timelines and consultation methods are suboptimal. Now that two rounds of Council Planning and subsidiary document preparation under the provisions of the 2020 Act are nearly complete, we believe that a light touch review of the experience of councils under these new provisions is timely, with a view to exploring whether improvements can be made.

## Recommendation 2

That the Victorian Government commission a light touch review of the adequacy of the timelines of ss. 90-94 of the *Local Government Act 2020*, in partnership with the MAV.

## Planning and Environment Act

The Victorian Planning System is administered by state and local government.

Councils are planning authorities for their municipal districts under s.8A of the *Planning and Environment Act 1987*, meaning that they may initiate amendments to planning schemes subject to the objectives of planning in Victoria and relevant Ministerial Directions (per s.12).

Important duties of municipal planning authorities include:

- Conducting a review of municipal planning schemes under s.12B (the next being due on 31 October 2026 unless the Minister for Planning sets a later date); and
- Reviewing the Municipal Planning Strategy (MPS) found in clause 2 of each planning scheme from time to time. The MPS sets out the foundation for local policy based on a municipality's location, regional context, history, assets and strengths, key attributes and influences; it gives expression to the matters that are important to the municipality from a planning perspective; and it describes the planning outcomes the municipality seeks to achieve.

Planning scheme amendments that give effect to MPS reviews, or which pursue amendments to planning controls (e.g. to give effect to a structure plan, or to implement the findings of a housing study, or a heritage study, or flood modelling), are invariably subject to the planning scheme amendment process set out in Part 3 of the Act. Such processes involve:

1. Preparation;
2. Authorisation of the Minister to proceed;
3. Exhibition of the amendment (public display and the receipt of written submissions);
4. Consideration of submissions by the Council;
5. (If submissions are not easily resolved) Consideration of submissions by Planning Panels Victoria;
6. Adoption of the amendment by the Council (or abandonment); and
7. (If adopted) Approval by the Minister (with or without changes, or refusal);
8. (If approved) Notice in the Government Gazette and the actual amendment of the Planning Scheme ordinance and maps.

Communities have access to parts 3 to 6 of this process.

The process can be time-consuming and expensive but is designed to guarantee procedural fairness and accountability. Community consultation under council-led planning scheme amendments is not merely a procedural requirement - it is a core pillar for maintaining public trust and securing the social license for government programs and reforms. When communities feel heard and respected, they are more likely to support, participate in, and accept change. Councils are doing the heavy lifting to generate social licence for the transformational change necessary for Victoria to meet its housing supply and affordability, environmental, economic, social and infrastructure funding challenges.

Planning scheme amendments that the Minister for Planning wishes to progress, however, are almost always exempt from the requirements to exhibit, consider submissions and refer submissions to an appropriate panel or special advisory committee. This is as true for very large amendments to the Victoria Planning Provisions that dictate the form and content of all planning schemes as it is for site-specific changes to controls to facilitate individual development projects (for example under the Development Facilitation Program). All the Minister need do to enable this fast-tracked process is exempt themselves from the usual requirements by deciding “that compliance with any of those requirements is not warranted or that the interests of Victoria or any part of Victoria make such an exemption appropriate” (s.20(4)).

This asymmetry need not cause difficulties for so long as there is a shared understanding between planning system designers in the state government and the primary planning system administrators in local government about how the Victoria Planning Provisions should be structured and amended, and how and when those major changes should occur. There is currently no such shared understanding.

The Victorian Planning System is currently undergoing significant reform, with a series of major changes to the Victoria Planning Provisions made in recent years, particularly since the release of *Victoria’s Housing Statement* on 20 September 2023. The MAV has documented the effect of the recent reforms, and critiqued future reform options, in the local government sector submission [Reforming Victoria’s Planning System](#). The submission proposes an alternative and more strategic method of pursuing reform that will enable the *Housing Statement* and *Plan for Victoria* housing supply objectives to be reached without also dismantling the social licence of the planning system.

The sector submission discusses the effect of the major amendments to the Victoria Planning Provisions introduced since 20 September 2023 (notably VC242, VC243, VC257, VC274, VC267 and VC280). It argues that the amendments are far-reaching and well-intentioned but create a series of unintended consequences, largely because they are not designed in accordance with an overarching strategy for reform that aims to retain integrity, accountability and transparency in the system, or which respects the strategic planning function of councils and the ability of communities to participate in conversations about visions for the future.

Three of the amendments, VC242, VC243 and VC267, fundamentally compromise the ability of councils to conduct reliable housing capacity studies, and the latter, VC267, whether deliberately or inadvertently, invalidated a series of planning scheme amendments being pursued by councils across the state. (The [MAV submission to the Select Committee Inquiry into Amendments VC257, VC267 and VC274](#) explains how this occurred.)

Further compounding the problem, the average time it takes to pursue a full (council-led) planning scheme amendment from beginning to end has grown considerably in recent years, caused mostly by slow Ministerial decisions to authorise and approve amendments. (At the time of writing, the Victorian Government website *Planning Scheme Amendments Online* suggests that there 96 outstanding amendments of the type that are not exempt from notice, awaiting either a panel process or a final Ministerial approval.)

The upshot is that the strategic planning exercises that *are* the subject of community consultation tend to be severely delayed or invalidated by decisions to amend the Victoria Planning Provisions in ways that council planning authorities were not warned of, while the strategic planning exercises that *are not* the subject of community consultation tend to cause significant complications and distrust.

For the purposes of the inquiry into community consultation practices, it is important that the Legislative Council Environment and Planning Committee understand this dynamic. It is caused by the absence of a clear overarching strategy for planning system reform that all planning authorities can understand and conceptualise, and it is causing community distrust in the planning process and in government generally.

This is not a past problem. While the period between 20 September 2023 (release of the Housing Statement) and July 2025 (the time of writing) was unprecedentedly busy with overlapping planning reform projects, we anticipate the period between July 2025 and the State election in November 2026 to be busier.

Within the 16 months before the caretaker period begins, the Government has indicated that it proposes to:

- Embed Housing Capacity Targets in 79 municipal planning schemes;
- Prompt amendments to some planning schemes to facilitate those Targets;
- Commence implementation of other *Plan for Victoria* actions;
- Complete planning for the next 50 Activity Centres;
- Complete planning for Suburban Rail Loop station precincts;
- Commence delivery of the 10-year plan for Melbourne's Greenfields;
- Consolidate multiple infrastructure contributions schemes into a simplified scheme;
- Complete a code for 4-6 storey residential development; and
- Amend the *Planning and Environment Act 1987* to reform the way planning scheme amendments are conducted and planning permits are assessed.

By the time the Committee comes to write its report, the extent to which these projects are able to be delivered, and how many will need to be rephased or rescoped, may be clearer. But as things stand in June 2025, Councils will not be able to meaningfully complete statutory planning scheme reviews due 31 October 2026 with confidence, given the myriad ways in which the provisions of the principal Act and the Victoria Planning Provisions could change in that time.

The MAV will continue to seek urgent clarification from the Victorian Government about the sequence and strategy for the overarching reform program.

Councils know local communities and places best, and as the peak body for Victoria's 79 councils the MAV understands the structural challenges common to all councils. The MAV stands ready, as it always has done, to assist the Victorian Government to review and redesign the overarching planning reform program, and a complementary program of community consultation, in such a way as to prevent the irreparable loss of public trust in planning and government and the further inefficient expenditure of public funds caused by dislocated planning reform projects.

### Recommendation 3

That the Victorian Government work with the MAV to review how the current wave of planning reform will unfold before and after the November 2026 State election, to improve the awareness of planning authorities about the sequence and scope of individual reform projects and, as a consequence, greatly improve the quality and satisfaction of community consultation by state and local government.

### Recommendation 4

That the Victorian Government, when amending the *Planning and Environment Act 1987* in the upcoming Bill to Parliament, include the creation of a statutory body consisting of a balance of state and local government system designers and administrators, with provision for additional expert advisors, to oversee the continuous review and improvement of the Victoria Planning Provisions and to maintain a structured approach to planning system user feedback and engagement. One of the purposes of such a body is to ensure that proposals to amend the Victoria Planning Provisions are done in such a way as to avoid counter-productive or wasted community engagement, and to build public trust.



## Recommendation 5

That the Victorian Government, in the interests of demonstrating the value of community consultation in planning, expedite the approval of planning scheme amendments already adopted by municipal councils but which remain outstanding.

### Other Acts

Other Acts also require that certain plans be adopted by every municipal council. All are subject to community consultation, either by provision found in those other Acts or, if there is no such provision, by virtue of the community engagement principles of the *Local Government Act 2020*.

These include:

#### Public Health and Wellbeing Act

Councils are obliged to prepare a municipal public health and wellbeing plan under the *Public Health and Wellbeing Act 2008*. This Act requires that a standalone plan be adopted within twelve months of an election (s.26) or that it be incorporated into the Council Plan (s.27). These will be subject to either the community engagement principles (in the case of a standalone municipal public health and wellbeing plan) or the deliberative engagement practices (in the case of incorporation into the Council Plan) under the *Local Government Act 2020*.

#### Disability Act

Councils are required to either establish a Disability Action Plan or ensure that the matters required to be addressed under such a plan are addressed in the Council Plan, under s.38 of the *Disability Act 2006*. This will be subject to the community engagement principles (in the case of a standalone Disability Action Plan) or the deliberative engagement practices (in the case of incorporation into the Council Plan) under the *Local Government Act 2020*.

#### Emergency Management Act

Councils are required to establish Municipal Emergency Management Planning Committees under Part 6 of the *Emergency Management Act 2013*, and prepare municipal emergency management plans under s.60ADB and subject to consultation under s.60AFB of that Act.

#### Domestic Animals Act

Councils are required to prepare domestic animal management plans under s.68A of the *Domestic Animals Act 1994*. These are subject to consultation under the community engagement principles of the *Local Government Act 2020*.

### Use of non-disclosure and confidentiality agreements

While other jurisdictions with legislated engagement obligations employ a broad range of tools to promote inclusive, transparent community participation, an emerging practice in Victoria is undermining these very objectives. Increasingly, participants in the co-design phases of public projects, service reforms, or program design are being asked to sign confidentiality or non-disclosure agreements (NDAs).

This trend is deeply concerning. Rather than fostering open dialogue, informed debate, and collaborative problem-solving, such agreements often inhibit the free exchange of ideas and suppress public discussion. They can create an atmosphere of fear and division, eroding trust in the process and diminishing the value of consultation. While confidentiality may be appropriate in limited circumstances such as where personal privacy or commercial sensitivities are involved the default use of NDAs in public engagement contexts is at odds with the principles of transparency, participation, and accountability that underpin good governance and meaningful community consultation.

Such agreements also cause significant problems with the efficient governance of councils. Where employees of the CEO, or the CEO, are obliged to withhold information from the governing body, the ability of the governing body to understand the policy issue or how to resource the council to engage with the policy issue can be severely compromised.

#### **Recommendation 6**

That the Victorian Government phase out the use of non-disclosure agreements in public policy programs and projects and establish a new policy about the very limited circumstances under which such agreements may be warranted.

#### **Recommendation 7**

To ensure community consultation processes undertaken by the Victorian Government, statutory authorities, and essential service providers in Victoria are genuinely inclusive, timely, and meaningful, the following actions are recommended:

- Require community consultation to occur at the formative stages of policy and project development prior to key decisions being made to ensure community views can meaningfully influence outcomes.
- Introduce clear reporting requirements for agencies to publicly explain how community input was considered and influenced final decisions. This should include 'consultation impact statements' as part of final reports or announcements.
- Develop and enforce minimum accessibility standards for consultation activities
- Reduce reliance on digital-only platforms by requiring a mix of engagement methods (e.g., face-to-face, telephone, postal, and community intermediaries), especially in communities with known digital exclusion risks.
- Set minimum consultation periods appropriate to the scale and impact of proposed changes to ensure communities have adequate time to participate, particularly where the issues are complex or technical in nature.

## The use of non-government providers to do consultations on behalf of government agencies – theme (b)

There is growing use of private consultancies to design and deliver community engagement processes on behalf of government agencies and councils. While this outsourcing can provide access to valuable expertise, creative methods, and surge capacity for time-limited projects, it also raises significant concerns around accountability, neutrality, continuity, and long-term public value.

Originally, the separation of policy design and service delivery functions in government aimed to streamline responsibilities and improve efficiency. However, in practice, this separation has contributed to a broader “hollowing out” of the public sector, with agencies increasingly losing the internal knowledge, skills, and institutional memory that underpin effective, place-based engagement. As internal capacity has diminished, reliance on consultants has grown, not just for implementation, but for the design, facilitation, and evaluation of engagement processes themselves.

This shift has had a snowballing effect: the more government turns to consultants, the less investment is made in building in-house capability. Over time, this weakens the ability of government entities to engage directly with their communities in a consistent, confident, and context-aware way.

Issues identified with the outsourcing of community consultation include:

- Lack of oversight and consistent methodology: There is no sector-wide framework or quality standard for engagement practice, leading to widely variable approaches that may not align with public sector values or community expectations.
- Varying degrees of community understanding and cultural competence among providers: Consultants may lack local knowledge or cultural safety training, particularly when engaging underrepresented groups, First Nations communities, young people, or non-English-speaking residents.
- Potential for conflict between client interests and community benefit: Consultants are ultimately accountable to their client contract, not the public. This can create tension when findings or feedback conflict with political or policy objectives.
- Difficulty in building long-term trust when consultants have short-term contracts: Engagement is relational, not transactional. Time-limited consultancies cannot easily foster the enduring relationships that build trust and community confidence in governance.
- Loss of internal learning and continuity: When engagement is fully outsourced, there is reduced opportunity for public servants or councillors to learn from community interactions, reflect on practice, and improve future engagement strategies.

## Recommendation 8

That the Victorian Government:

- Provide funding for the establishment of a MAV Centre of Excellence for Engagement Practice to rebuild and grow local government sector in-house engagement capacity through the provision of training, tools, communities of practice, and peer learning. This includes supporting career pathways in engagement roles and providing access to skill development in areas such as cultural safety, facilitation, co-design, and evaluation.
- Establish dedicated engagement teams within government departments with appropriate training, resourcing, and career pathways to rebuild in-house capacity for community engagement. This investment should include cultural safety training, facilitation skills, and evaluation methodologies.
- Embed Local Knowledge and Continuity in Consultant Engagements
- Mandate disclosure of consultant methodologies, engagement reports, and findings, and require agencies to publicly respond to how feedback has informed decision-making even where feedback is at odds with policy direction.
- Move toward engagement models that are relational, ongoing, and built on mutual trust. Short-term transactional engagements should be the exception, not the norm especially in contexts involving vulnerable or marginalised communities.

## Standards of conduct, including preparedness, to be expected in community consultations – theme (c)

Currently, there is no universal code or mandated set of standards governing the conduct, design, or delivery of community consultation across Victoria. As a result, the quality, transparency, and inclusiveness of engagement processes vary significantly between government agencies, statutory authorities, and project teams. While some entities demonstrate exemplary practice, others treat consultation as a compliance exercise, undertaken late in the process, with little opportunity for meaningful community influence or follow-through.

This inconsistency has led to community confusion, consultation fatigue, and declining trust in public participation processes. Many community members, particularly those from marginalised groups, report experiences of not being heard, not receiving feedback, or being invited into processes that are inaccessible or pre-determined in outcome. In the absence of a clear framework, agencies often lack guidance on how to embed principles such as respect, responsiveness, accessibility, honesty, and trauma informed into their practice.

Consultation should occur at the beginning of the policy or planning lifecycle, not after key decisions have already been made. Early input enables communities to help shape the direction and scope of projects, rather than react to pre-formed proposals.

Engagement processes must be safe, respectful, and responsive to the experiences of communities who have been historically excluded, marginalised, or survived previous interactions with government. This includes First Nations peoples, people with lived experience of trauma, and communities facing systemic disadvantage.

Participants should be informed about what was heard during consultation, how that input has influenced decision-making, and what the outcomes were. Transparent reporting builds accountability and reinforces the value of public input.

### Recommendation 9

That the Victorian Government develop and mandate a universal Code of Conduct and Practice Standards for community consultation. This would provide a consistent foundation for respectful, inclusive, and effective engagement, regardless of agency, project scale, or delivery method. The standards should set minimum expectations for:

- Timing and Sequencing
- Cultural Safety and Trauma-Informed Practice.
- Feedback Loops and Transparent Reporting
- Maintaining information integrity, addressing disinformation and incivility.

## Groups or regions who are underrepresented by existing consultation practices, and options to improve their engagement – theme (d)

Despite efforts to improve inclusivity, certain groups in Victoria continue to be systematically underrepresented in government consultation processes. These include:

- First Nations people and communities whose experiences of dispossession and systemic exclusion require engagement processes that are culturally safe, trauma and survivor informed, and led by self-determination, not imposed timelines or formats.
- Young people who are often overlooked as stakeholders in policy decisions, despite being significantly impacted by long-term government planning in areas such as education, climate, transport, and housing. Youth-friendly platforms, school-based outreach, and creative formats are rarely utilised.
- Renters and residents in social and public housing who may feel disempowered to engage, or may fear repercussions for speaking out, particularly when engagement relates to housing policy, redevelopment, or tenant rights. Trust and power dynamics are critical but often unaddressed.
- People with disability who face both digital and physical accessibility barriers, as well as lack of information in suitable formats such as Auslan interpretation, Plain English, or assistive technologies.



- Culturally and linguistically diverse (CALD) communities who are frequently excluded due to language barriers, lack of translated materials, unfamiliarity with government processes, or lack of targeted outreach through trusted community channels.
- People living in rural and remote regions who are often left out of metro-centric engagement strategies, and whose unique challenges and local knowledge may be missed due to limited access to in-person events or unreliable digital infrastructure.

### **Key Barriers to Participation Include:**

- Time and competing priorities – Consultations often assume a level of free time and capacity not available to many community members juggling work, caring responsibilities, or financial stress.
- Confidence and sense of welcome – Government forums can feel intimidating, bureaucratic, or tokenistic, discouraging participation from those unfamiliar with the process or sceptical of its value.
- Lack of relevance or visibility – Consultations often fail to clearly explain why the issue matters to the community or how participation will make a difference.
- Inaccessible formats and delivery – Traditional consultation methods such as town hall meetings or online surveys often do not meet the needs of diverse groups, particularly when no targeted strategies are in place to engage them meaningfully.

To build trust and achieve representative engagement, consultation processes must be specifically designed to address these barriers and support the full participation of underrepresented communities. This includes partnerships with community leaders, tailored engagement strategies, and investment in inclusive design from the outset. Consider programs and projects in partnership with local councils, which have deep and broad reach to community networks and local leaders. It also makes sense from an efficiency perspective, with fewer individual service agreements and reduction in administrative oversight and contract management costs.

### **Recommendation 10**

That the Victorian Government:

- Invest in capacity-building grants for local governments and community organisations that represent underrepresented groups to co-design engagement approaches and facilitate participation.
- Provide funding to MAV as a Centre of Excellence for Engagement Practice to support councils to rebuild and grow in-house engagement capacity through the provision of training, tools, communities of practice, and peer learning. This includes supporting career pathways in engagement roles and providing access to skill development in areas such as cultural safety, facilitation, co-design, and evaluation.

## The Engage Victoria platform, its use and effectiveness, and areas for improvement – theme (e)

The Engage Victoria platform has provided a centralised location for communities to access information about government consultations and to participate in decision-making processes. It has increased transparency and convenience by bringing multiple projects together in one place and offering digital tools to collect feedback efficiently.

However, while the platform has strengthened access in some respects, its overall effectiveness in fostering inclusive, meaningful engagement remains limited by several design and implementation issues.

Most projects hosted on Engage Victoria rely heavily on surveys or comment boxes. These passive tools can limit the depth and quality of public input, particularly when complex policy matters are reduced to closed or overly simplistic questions. More dynamic, interactive methods such as deliberative forums, moderated discussions, or participatory mapping are underutilised on the platform.

Public awareness of the Engage Victoria platform and individual consultation opportunities remains low. Projects often receive limited promotion outside the platform itself, resulting in under-representation of key communities—especially those not already digitally engaged or following departmental channels. Without broad promotional strategies, many Victorians remain unaware of opportunities to contribute.

Many consultations on the platform use technical, policy-heavy language that may be difficult for the public to understand. Furthermore, language translations and accessible formats are not routinely provided, which creates barriers for people from culturally and linguistically diverse backgrounds and people with disabilities.

A major gap in the platform's use is the inconsistent provision of updates after consultation closes. Many project pages do not inform participants about how their input was considered or what decisions have been made. This lack of follow-through undermines trust and discourages future participation.

### Recommendation 11

That the Victorian Government:

- Integrate more interactive and deliberative features to allow for richer, two-way engagement—not just passive data collection.
- Develop targeted outreach strategies to promote consultations to underrepresented groups and communities who may not visit the platform independently.
- Require all consultations to follow plain language principles and offer materials in multiple languages and accessible formats.
- Require departments to publish a "You Said, We Did" summary for each consultation, outlining how feedback informed the decision-making process and what actions were taken.

## Best practice community consultation in other jurisdictions in Australia and other comparable countries – theme (f)

To strengthen the integrity and effectiveness of community engagement in Victoria, it is essential that the Victorian Government benchmark its practices against leading national and international jurisdictions. Best-practice models increasingly incorporate legislated engagement rights, culturally safe approaches, and co-design methodologies that empower communities particularly those historically underrepresented or marginalised. By learning from these models, Victoria can move beyond transactional consultation toward more inclusive, accountable, and enduring forms of democratic participation. Adopting such approaches will help ensure that engagement is not only a procedural step, but a meaningful and equitable part of project design and delivery, policy and service design.

### Recommendation 12

That the Victorian Government benchmark itself against other jurisdictions and adopt best-practice models that incorporate cultural safety, legislated engagement rights, and co-design methods.

## Case Studies

Local governments lead the way in designing and delivering innovative, place-based engagement. With deep local knowledge, long-standing relationships, and a strong understanding of community issues, councils are uniquely positioned to create meaningful participation opportunities that reflect the values, needs, and aspirations of their communities.

Across Victoria, councils are demonstrating best practice in engagement through collaborative, culturally safe, and creative approaches often going well beyond legislative requirements. These locally tailored initiatives not only strengthen trust in government, but also produce better, more inclusive outcomes.

The following case studies highlight both the strengths of local government in delivering meaningful engagement and the challenges that arise in the absence of consistent frameworks, timely communication, or inclusive processes.

### Case Study: Mitchell Shire Council

Mitchell Shire Council has developed sensory resource guides or social stories to help prepare an autistic person or person with a language disorder, social communication difficulty and/or cognitive delay or disability to access council libraries and leisure centres. Consultation practice included:

- Deliberative engagement.
- One-on-one support for applicants to provide their application verbally (while staff documented responses).
- Childcare support to participate.
- Transport support to participate.

### Case Study: Manningham City Council

Manningham City Council demonstrated best-practice engagement through the simultaneous review of its Residential Strategy and development of the Activity Centre Design Guidelines, underpinned by a strong focus on inclusion and equity.

At the outset, a Gender Impact Assessment (GIA) was conducted to identify barriers to participation and enhance access for women, gender-diverse people, and community members experiencing intersecting forms of disadvantage. This assessment directly informed the engagement strategy, ensuring that consultation processes were designed to be safe, inclusive, and responsive to community diversity.

The consultation period featured a multi-channel approach including postcards with QR codes to drive online participation, as well as in-person outreach at local markets, shopping centres, Council libraries, and Civic Offices. Council leveraged existing advisory committees and tailored presentations to resonate with different community groups. This approach was particularly effective in reaching underrepresented cohorts.

The initiative was widely recognised as a success by both Council and the community, with strong participation levels and positive feedback on the accessibility and relevance of the process. Council officers were awarded an Excellence Award for their tailored and inclusive engagement with advisory committees, highlighting the project as a model for equitable and community-informed planning.

### Case Study: Greater Dandenong City Council

To ensure meaningful participation from its highly diverse population, the City of Greater Dandenong adopted a decentralised, community-led approach to engagement for the development of *Our City, Our Future - Council Plan 2025-29*

Council staff and community champions received tailored training in culturally responsive engagement methods and facilitation skills. Equipped with this support, they initiated conversations within their own networks reaching people who might not otherwise engage in traditional consultation processes.

By embedding engagement within existing community relationships, this approach significantly broadened the Council's reach and ensured that a wide range of voices and lived experiences informed decision-making. It also helped build community ownership of the process and strengthened trust between Council and communities.

This model demonstrates how investing in local capacity and community leadership can create more inclusive, effective, and grounded engagement particularly in culturally diverse communities.

### Case Study: Greater Geelong City Council

The City of Greater Geelong undertook a deliberative engagement process to co-design the Pakington North Urban Design Framework (UDF) a long-term plan to guide sustainable development, revitalisation, and future growth in the Geelong West precinct.

To ensure a transparent and community-driven process, the City developed a Community Engagement Strategy in collaboration with a local advisory group. The strategy outlined a clear purpose, scope, and recruitment methodology for a representative Community Panel.

A diverse panel of 60 community members was recruited to reflect the local population. Over six in-person sessions, panel members worked alongside Council to co-design the UDF. The sessions included expert presentations, interactive tools, and facilitated discussions to build the panel's knowledge and confidence in shaping policy directions. The process fostered strong trust and ownership among participants, with feedback from the panel directly informing the final UDF. The panel formally endorsed the framework at the final session, demonstrating high levels of support and satisfaction. This project highlights the value of deliberative engagement in creating shared, place-based solutions and delivering high-quality planning outcomes.

#### Case Study: Maffra and District Early Learning Centre

The Victorian School Building Authority's decision to deliver a new Early Learning Centre in Maffra without community consultation highlights the risks of excluding local voices from major planning decisions. Delivered under planning provisions that exempt it from engagement requirements, the project proceeded without any obligation or intention to consult the community prior to its announcement.

This case illustrates a critical distinction: communication is not engagement. Providing information after decisions are made does not allow communities to shape outcomes or raise concerns, particularly in relation to public facilities that affect families, neighbourhood dynamics, and existing service networks.

A lack of consultation can place additional pressure on Councils, which can lead to an expectation that they manage community concerns despite having had no role in planning or decision-making. This example underscores the importance of embedding community engagement as a standard practice in all government-led infrastructure projects regardless of planning exemptions to ensure trust, local relevance, and shared ownership of public assets.

#### Case Study: Rate cap Notification Timing: The Importance of Timely and Collaborative Communication

A recurring challenge for councils across Victoria is the timing of official rate cap notifications, which are fundamental to local government budgeting, forecasting, and community engagement on financial planning. The formal notification of the annual rate cap is issued mid to late December. Councils prepare their budgets by June each year.

While acknowledging the administrative and timing challenges faced by Victorian Government agencies, this example highlights a disconnect between communication and true engagement or collaboration. Providing critical financial information late in the budget planning stage, risks compromising the effectiveness of council planning and places unnecessary strain on local government operations.



Moving forward, a more proactive and coordinated approach to rate cap notifications ideally earlier in Council's budget development cycle (e.g. 1 July in the preceding year) would support better governance, community engagement, and financial stewardship across the sector. It would also reflect a stronger understanding of the operational requirements and responsibilities of local government.

Importantly, this case also highlights the need for a formal mechanism to account for cost pressures in the rate cap setting process. Councils are facing increasing financial strain due to inflation, rising service demands, infrastructure renewal needs, and growing community expectations. Without a structured avenue to consider these pressures, the cap may unintentionally constrain councils' ability to deliver essential services and invest in local priorities.

The MAV has made previous submissions to government requesting that the MAV Local Government Cost Index is adopted by government to better determine the rate cap on an annual basis. Adopting a Local Government Cost Index would reflect a genuine collaboration between levels of government.